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ATTN. Nilesh R. Shah

Fax Number 1 571 273 8300

Phone Number 571 272 3771

FROM Volel Emile, Esq.

Fax Number 512 306 0240

Phone Number 512 306 7969

SUBJECT Notice of Appeal (10/082,746)

Number of Pages 6

Date 3/8/2006

MESSAGE

This fax communication contains:

1. one copy of a Fax Transmittal foForm; and
2. two copies of the Notice of Appeal, including a Fee Transmittal Letter and fee.

Volel


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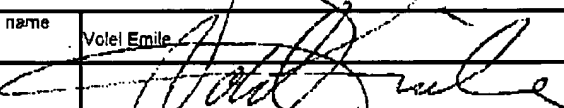
PTO/BB/21 (02-04)

Approved for use through 07/31/2006. OMB 0851-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/052,746
	Filing Date	02/21/2002
	First Named Inventor	Jack Allen Alford, Jr.
	Art Unit	2180
	Examiner Name	Nilesh R. Shah
Total Number of Pages in This Submission	Attorney Docket Number	AUS920010887US1

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input checked="" type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks Notice of Appeal.		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual name	Volel Emile	
Signature		
Date	03/08/2006	

CERTIFICATE OF TRANSMISSION/MAILING		
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.		
Typed or printed name	Volel Emile	
Signature		Date 03/08/2006

This collection of information is required by 37 CFR 1.55. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 36 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Appl. No. 10/082,746
Notice of Appeal dated 03/08/2006
Reply to Office Action of 12/29/2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Application of: :
Jack Allen Alford, Sr. :
Serial No: 10/082,746 : Before the Examiner:
 : Nilesh R. Shah
Filed: 02/21/2002 : Group Art Unit: 2195
 :
Title: APPARATUS AND METHOD : Confirmation No.: 6334
OF DYNAMICALLY :
REPARTITIONING A COMPUTER :
SYSTEM IN RESPONSE TO :
PARTITION WORKLOADS :

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF APPEALS

Commissioner for Patents
P.O. Box 1460
Alexandria, VA 22313-1460

Applicants hereby appeal to the Board of Appeals from
the Decision of the Primary Examiner of December 29, 2005
finally rejecting claims 1 - 52.

The item(s) marked below are appropriate:

1. _____ A petition and fee for extension of term for
reply to the final rejection is attached.
2. X Appeal fee
_____ other than a small entity. Fee: \$500.00
3. X Payment
_____ X Please charge Deposit Account 09-0447
the sum of \$500.00. A duplicate of this notice
is attached.

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